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Ronald P. Fischetti  
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February 14, 2012

**VIA FACSIMILE**

Nicole Argentieri, Esq.  
Assistant United States Attorney  
Eastern District of New York  
United States Courthouse  
271 Cadman Plaza East  
New York, New York 11201

*Re:     United States v. Badalamenti, et al.  
12 Cr. 050 (S-1) (CBA)*

Dear Ms. Argentieri:

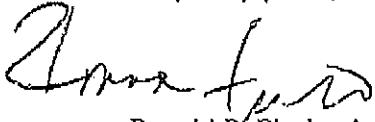
At yesterday's bail hearing you stated that you have never, to date, been questioned concerning the legal basis to have seized Mr. Badalamenti and taken him into custody on December 16, 2009. Please accept this letter as a formal request for said information.

Initially, I must point out that on the date of Mr. Badalamenti's arraignment, I specifically asked you about the execution of the search warrant at the subject social club (during a Christmas party) and you informed me that you were not present for that event. I have now learned from multiple sources, including an attorney, that you were indeed present and supervising the agents throughout the search and seizure.

Having established that you were present during the raid, I now ask you again – "under what authority was Mr. Badalamenti taken into custody, handcuffed, and removed to a downtown location, where he was held, questioned, fingerprinted and photographed for a number of hours, without being charged."

I hereby request an immediate response to this letter to determine what, if any, remedy I should seek on behalf of Mr. Badalamenti.

Very truly yours,



Ronald P. Fischetti

cc:     Honorable Cheryl L. Pollak